

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:02-00019-01

WILLIAM LEE JONES, JR.

MEMORANDUM OPINION AND ORDER

Pending before the court is the movant's motion entitled Movant's Third Pro Se Motion Pursuant to 18 U.S.C. § 3582(c)(2), filed by the defendant pro se on August 30, 2013, wherein he contends that the court's denial of relief as it pertained to Amendments 706 and 711 as set forth in its order entered November 2, 2009, and affirmed on appeal, was erroneous and wherein he requests that the court modify the 360-month term of imprisonment imposed on April 23, 2012. The court construes the filing as a motion to reconsider.

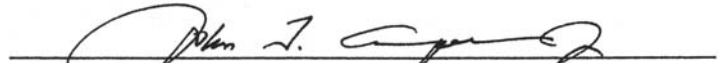
Pursuant to controlling precedent, the court lacks subject matter jurisdiction to adjudicate the motion. See, e.g., United States v. Goodwyn, 596 F.3d 233, 236 (4th Cir. 2010) (holding that 18 U.S.C. § 3582(c) divests a district court of jurisdiction to modify a sentence except in those cases

specifically authorized by statute); United States v. Mann, 435 F. App'x 254, 255 (4th Cir. 2011) (noting section "3582(c) gives a district court one -- and only one -- opportunity to apply the retroactive amendments and modify the sentence.").

It is accordingly ORDERED that the defendant's motion to reconsider be, and it hereby is, denied.

The Clerk is DIRECTED to send a copy of this written opinion and order to the defendant, the United States Attorney, the Federal Public Defender and the United States Probation Office.

ENTER: July 17, 2014

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", is written over a horizontal line.

John T. Copenhaver, Jr.  
United States District Judge